

**To:** Gratz, Jeff[Gratz.Jeff@epa.gov]; Lobue, Charles[Lobue.Charles@epa.gov]; Pechko, Patricia[Pechko.Patricia@epa.gov]; Stein, Mark[Stein.Mark@epa.gov]  
**Cc:** Brochi, Jean[Brochi.Jean@epa.gov]  
**From:** Cote, Mel  
**Sent:** Mon 11/14/2016 10:22:05 PM  
**Subject:** FW: LIS DMMP Steering Committee Meeting

Can you make a call with David Kaiser tomorrow at 3?

Melville P. Coté, Jr., Chief

Surface Water Branch  
U.S. Environmental Protection Agency, Region 1

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<http://www.epa.gov/region1/topics/water/ocp.html>

**From:** David Kaiser - NOAA Federal [mailto:david.kaiser@noaa.gov]  
**Sent:** Monday, November 14, 2016 4:25 PM  
**To:** Brochi, Jean <Brochi.Jean@epa.gov>  
**Cc:** Cote, Mel <Cote.Mel@epa.gov>; Kerry Kehoe <kerry.kehoe@noaa.gov>; Melissa Rada - NOAA Affiliate <melissa.rada@noaa.gov>; christopher.Boelke@Noaa.gov; Betsy Nicholson <betsy.nicholson@noaa.gov>  
**Subject:** Re: LIS DMMP Steering Committee Meeting

Jeannie, How about 3:00 tomorrow (Tuesday, 11/15/16)? I'd like to at least have myself, Chris Boelke, you and Mel on the call. Others can join if they are available. We can use my Conference Line 1-866-793-1862, Participant Code: 8816942#.

I'd like to talk about NMFS officially taking over the NOAA SC role given that most issues now are substantive impact issues, with my participation as needed depending on some strategic policy issues that might arise regarding site designation, CZMA federal consistency, mediation, litigation, etc.

I'd also like to talk about moving forward with the Corps proposal given NY's displeasure with the DMMP and possible outcomes of EPA's designation rulemaking.

Thanks,

David

On Mon, Nov 14, 2016 at 7:58 AM, Brochi, Jean <[Brochi.Jean@epa.gov](mailto:Brochi.Jean@epa.gov)> wrote:

Hi David,

Nice to hear from you. I am available Tuesday and Wednesday of this week. Thanks,  
Jeannie

**From:** Cote, Mel

**Sent:** Thursday, November 10, 2016 8:50 AM

**To:** David Kaiser - NOAA Federal <[david.kaiser@noaa.gov](mailto:david.kaiser@noaa.gov)>

**Cc:** Kerry Kehoe <[kerry.kehoe@noaa.gov](mailto:kerry.kehoe@noaa.gov)>; Melissa Rada - NOAA Affiliate <[melissa.rada@noaa.gov](mailto:melissa.rada@noaa.gov)>; christopher.Boelke@Noaa.gov; Betsy Nicholson <[betsy.nicholson@noaa.gov](mailto:betsy.nicholson@noaa.gov)>; Brochi, Jean <[Brochi.Jean@epa.gov](mailto:Brochi.Jean@epa.gov)>

**Subject:** RE: LIS DMMP Steering Committee Meeting

David, I'm sending you a copy of the final amended site designation rule for the Central and Western Long Island Sound Disposal Sites (CLDS and WLDS) that was published in the FR on July 7, 2016, for your review prior to our discussion. Please review in particular the site use restrictions in the regulatory language at the end at 228.15(b)(4)(vi), which were negotiated with NY, CT, and the Corps, and were the primary basis for NY DOS concurring with our federal consistency determination for that action. Thanks.

Melville P. Coté, Jr., Chief

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**From:** David Kaiser - NOAA Federal [<mailto:david.kaiser@noaa.gov>]

**Sent:** Wednesday, November 09, 2016 6:34 PM

**To:** Cote, Mel <[Cote.Mel@epa.gov](mailto:Cote.Mel@epa.gov)>

**Cc:** Kerry Kehoe <[kerry.kehoe@noaa.gov](mailto:kerry.kehoe@noaa.gov)>; Melissa Rada - NOAA Affiliate <[melissa.rada@noaa.gov](mailto:melissa.rada@noaa.gov)>; [christopher.Boelke@Noaa.gov](mailto:christopher.Boelke@Noaa.gov); Betsy Nicholson <[betsy.nicholson@noaa.gov](mailto:betsy.nicholson@noaa.gov)>; Brochi, Jean <[Brochi.Jean@epa.gov](mailto:Brochi.Jean@epa.gov)>

**Subject:** Fwd: LIS DMMP Steering Committee Meeting

Hi Mel,

Sorry I missed your call last week; I was on leave and spending time with my daughter, son-in-law, and grand-children who were visiting from Sweden. I know you spoke with Kerry, but please let me know if you still want to discuss.

Related to that is this interesting email from the Corps on using the LIS DMMP Steering Committee (SC) to explore funding for beneficial use of dredged material and reducing open-water disposal in LIS.

**Ex. 5 - Deliberative Process**

## Ex. 5 - Deliberative Process

Please let me know when you are available.

# Ex. 5 - Deliberative Process

Thanks,

David

----- Forwarded message -----

From: **Acone, Scott E CIV USARMY CENAE (US)** <[Scott.E.Acone@usace.army.mil](mailto:Scott.E.Acone@usace.army.mil)>

Date: Wed, Nov 9, 2016 at 5:05 PM

Subject: LIS DMMP Steering Committee Meeting

To: Betsey Wingfield - CTDEP <[betsey.wingfield@po.state.ct.us](mailto:betsey.wingfield@po.state.ct.us)>, Brian Thompson -

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LIS DMMP Interagency Steering Committee Members and Interested Agencies:

Now that the LIS DMMP has been finalized and the EPA has signed the final rule for the Central & Western LIS sites, implementing the recommendations of the DMMP to focus on measures and projects to reduce reliance on open water placement of dredged materials in LIS will require close coordination and executive guidance. The USACE would like to resume efforts of the Steering Committee (and the LIS Regional Dredging Team) to investigate, champion and pursue funding of placement alternatives with a focus on beneficial use. Towards that end, the Corps believes it important for the Steering Committee and the RDT to be expanded to include the US Navy, US Coast Guard, Port Authorities and other State agencies from CT, NY and RI which have the ability to provide funding for beneficial use projects and other alternatives.

I would ask that you provide a response to the following questions:

1. Will your agency continue to participate in the Steering Committee and/or the RDT?
2. Will you continue to represent your agency as a member of the Steering Committee, and if not who will be your agency's representative?
3. Please provide any suggestions for agencies/representatives/alternates that I may have missed, or who could assist in implementing alternatives, including providing cost sharing.

The USACE is planning a committee meeting (likely mid-Dec) - more details to follow. For now, we would like to get the membership and representatives identified so that we can begin coordinating dates and locations for a Steering Committee meeting.

I appreciate your attention to this matter.

Thank you,

Scott

Scott E. Acone, PE, PMP  
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David Kaiser, Senior Policy Analyst

National Interest Team | Stewardship Division

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